

## REMARKS

Claims 1-26 are pending in the application. Claims 25-26 have been canceled, claims 27-30 have been added, leaving claims 1-24 and 27-30 for consideration upon entry of the present Amendment. Applicants respectfully request reconsideration in view of the following amendment and remarks.

Claims 1-5, 7-26 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Ikuko et al. (U.S. 6,255,775) ("Ikuko"). "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, "[t]he identical invention must be shown in as complete detail as is contained in the \* \* \* claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Claims 1-5 and 7-10 include the following limitation: "causing relative movement between said mask and said layer material source, and said substrate, and causing a material scattered from said layer material source to attach to said substrate through said opening, thereby forming said individually patterned layer." Claims 11-24 include the following limitation: "sliding a relative position between said mask and said emissive material source, and said substrate by a predetermined pitch corresponding to a size of the pixel of said substrate, and causing an emissive material to attach to a predetermined region of said substrate through said mask, thereby forming the emissive material layer." Ikuko does not disclose, either expressly or inherently, this limitation.

Accordingly to Ikuko, when referring to one opening formed in one mask, a thin film is formed in different locations on a substrate by depositing, through the one opening, material from a plurality of different evaporation sources, without changing the positional relationship between the substrate and the mask/plurality of evaporation sources. Further, in order to execute this process in each of a plurality of openings, the opening size, the angle of side portions of the opening, and the like are changed in accordance with the distance from the evaporation sources.

Accordingly, in Ikuko, the positional relationship among the substrate, the mask opening, and the evaporation sources is extremely significant, and, when a position of any

one of them deviates, the shape and location of the thin film formed on the substrate is significantly altered. In other words, in Ikuko, a desired thin film cannot be formed on the substrate if the position of the substrate, the mask, or the evaporation sources is changed. It is therefore evident that Ikuko would naturally nowhere describe or suggest changing the relative position between “the substrate” and “the mask and the layer material source.” Moreover, because of the importance of the positional relationship in Ikuko and the fact that Ikuko cannot have relative movement between “the substrate” and “the mask and the layer material source,” Ikuko would not be able to be combined with any other references to reach the claimed invention.

The Examiner asserts that “while Ikuko discloses no moving the mask laterally, longitudinal movement of the mask to adjust the distances  $d_1$ ,  $d_2$ , and  $d_3$ , and the pitch  $p$  is described.” However, the recitation in Ikuko corresponding to this contention simply refers to the fact that adjustments in positions are made in advance because it is significant to achieve a precise positional relationship.

In addition, while the prior art of Ikuko discloses moving a shadow mask relative to the substrate, the prior art section of Ikuko makes no reference to changing the relative position between an evaporation source and a substrate.

As such, Ikuko does not disclose, either expressly or inherently, sequentially forming discrete layer patterns on a substrate through an opening of a mask by changing the relative position between “the substrate” and “the mask and the layer material source.” Indeed, the disclosure of Ikuko inherently assumes absence of relative movement between the substrate and the mask/layer material source. Accordingly, Ikuko does not anticipate the claims. Applicant respectfully requests that the rejection against claims 1-5 and 7-24 be withdrawn.

Claims 1-5 and 7-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukuzawa et al. (U.S. 6,459,193) (“Fukuzawa”) in combination with Ikuko. For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to

modify a reference or combined references; and that the proposed modification of the prior art must have had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d 1016, 1023 (Fed. Cir. 1996).

The Examiner acknowledges that Fukuzawa does not teach or suggest relative movement between the mask and the layer material, and the substrate. In addition, as explained above, Ikuko does not disclose that limitation either. Accordingly, combining Fukuzawa with Ikuko does not result in the configuration in which the mask/layer material source and the substrate are moved relative to one another. As such, it is not obvious to those skilled in the art to sequentially shift the relative position between the mask/layer material source and the substrate so as to form a pattern on the substrate in accordance with the pattern of the opening of the mask.

According to the present invention, because discrete layer patterns are formed on the substrate while changing the relative position between the layer material source/mask and the substrate, the conditions of positional relationship between the target layer-forming location on the substrate and the mask/layer material source can be made identical in any location on the substrate. It is therefore possible to form a uniform layer at high precision in a pattern according to the mask opening in any location on the substrate. This advantage absolutely cannot be accomplished by Ikuko or Fukuzawa, which do not include changing the relative position between the layer material source/mask and the substrate. Accordingly, Applicants respectfully request that the rejection be withdrawn.

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Ikuko in combination with Tonucci et al. (U.S. 6,087,274) (“Tonucci”). Claim 6 includes all of the limitations of claim 1. As explained in the response to office action, which was filed April 17, 2003, Tonucci does not teach or suggest that limitation either. Accordingly, combining Tonucci with Ikuko does not result in the configuration in which the mask/layer material source and the substrate are moved relative to one another. As such, it is not obvious to those skilled in the art to sequentially shift the relative position between the mask/layer material source and the substrate so as to form a pattern on the substrate in

accordance with the pattern of the opening of the mask. Accordingly, Applicant respectfully requests that the rejection be withdrawn.

In addition, claims 27-30 are allowable because they each depend from allowable independent claims. Accordingly, Applicant respectfully requests that claims 27-30 be allowed.

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicants' attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

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